

REMARKS

In the Office Action dated April 19, 2007, the drawings were objected to under 37 C.F.R. §1.83(a) by virtue of claim 15 referring to a "gating device...proximate to said x-ray detector," which the Examiner stated was not shown in the drawings. The Examiner stated this objection can be overcome by replacing "detector" with – radiator--, which has now been done. The objection under 37 C.F.R. §1.83(a) is therefore submitted to be overcome.

The abstract was objected to as exceeding 150 words, and including legal phraseology often used in patent claims. In response, the abstract has been editorially amended to avoid the use of legal phraseology, and to be less than 150 words.

Informalities were also noted in claims 13-17, which have been corrected in claims 13 and 15. The Examiner stated that "claims 14, 16 and 17 are objected to by virtue of their dependency." Applicants are unable to find any informalities in the dependencies of those claims, and submit that all of those claims are in proper dependent form. This objection is therefore not understood. If the Examiner can elaborate on this objection in a further Office Action, Applicants will be glad to respond thereto.

Claims 13-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Seufert in view of Gunji et al.

The Examiner acknowledged that copies of the Certified Copy of the Priority Document has been received for this application from the International Bureau. Applicants therefore herewith submit a Certified Translation of that Priority Document in order to perfect Applicants' for convention priority under 35 U.S.C. §119.

Accordingly, the present PCT application is entitled to the benefit of the filing date of the original German application, which was filed in the German Patent and Trademark Office on September 26, 2002.

The Seufert reference has an effective date for prior art purposes as of its United States filing date, which is November 5, 2002. Since Applicants are entitled to the benefit of the September 26, 2002 filing date, the Seufert reference is not available as prior art against the subject matter of this application. This is sufficient to overcome the aforementioned rejection of claims 13-17 based on Seufert and Gunji et al.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

(The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.)

Submitted by,

 (Reg. 28,982)

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